UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/2000/NGO/82
10 February 2000

ENGLISH
Original: FRENCH

COMMISSION ON HUMAN RIGHTS
Fifty-sixth session
Item 13 of the provisional agenda

RIGHTS OF THE CHILD

Written statement* submitted by North-South XXI, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement, which is circulated in accordance with Economic and Social Council resolution 1996/31.

[20 December 1999]

* This written statement is issued, unedited, as received from the submitting non-governmental organization.

AMERICAN JUSTICE AND JUVENILE OFFENDERS

1. Juvenile delinquency in the United States has been on the decrease since 1993, after having been continuously on the increase since 1987. One of the reasons for the decrease in the number of cases of violent crime dealt with by the American courts (with 44 per cent fewer cases of homicide committed by minors) is that it has become more difficult to get hold of firearms since the adoption in 1995 of a federal law prohibiting minors from possessing handguns or ammunition.

2. Despite the official statistics, penal policy, which plays on the public's fears, is becoming more and more repressive towards minors. To improve his standing in the polls, the Governor of Texas, G.W. Bush, one of the candidates in the presidential elections in 2000, has overhauled the State's penal system: he has tripled the capacity of juvenile detention centres; minors can be tried in adult courts for serious offences; and convicted minors can be imprisoned alongside adults.

3. Between 1992 and 1995, 41 out of 50 States made judicial procedure for minors stricter. Twenty-four States have the death penalty for minors.

4. The case of Nathanial Abraham is instructive. He has been held for two years in a prison centre in Michigan, on charges of committing a crime. He was 11 years old at the time of the events and he is due to be tried by an adult court, where he could be sentenced to life imprisonment. In 1995 alone, Florida sent 7,000 minors to adult courts, though this had no impact on the rate of reoffending.

5. A working group on juvenile delinquency and ways to deal with it should be set up to study the situation of juvenile offenders in various countries, especially in the United States, and to propose appropriate solutions in accordance with the basic rights of the child and a good system of justice.